



Hares (Scotland) Act 1848

1848 CHAPTER 30

An Act to enable all Persons having at present a Right to kill Hares in *Scotland* to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate. [22d July 1848]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of King George the Third, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith, and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes*, and by an Act passed in the Fifty-second Year of the Reign of the said King George the Third, intituled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, and by an Act passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for granting to Her Majesty Duties of Customs, Excise, and Assessed Taxes*, certain Duties of Assessed - Taxes were granted to Her Majesty the Queen upon, amongst other things, every Person who shall use any Dog, Gun, Net, or other Engine for the Purpose of killing any Game whatever, or shall assist in any Manner in the taking or killing of any Game: And whereas by divers Laws now in force Penalties are imposed on all Persons taking or killing, or assisting in the taking or killing of, amongst other things, any Game whatever, who shall not have obtained a Certificate of the due Payment of such Duties : And whereas it has been found that much Damage has been and continually is done by Hares to the Produce of Land, and that great Losses have been thereby sustained; and it is expedient that all Persons having at present a Right to kill and destroy Hares in *Scotland* should be allowed to do so without the Payment of the said Duties of Assessed Taxes, and without the incurring of any of the Penalties above mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Status: This is the original version (as it was originally enacted).

Any Person having a Right to kill Hares in Scotland may do so without a Game Certificate, provided they shall be found on his own Land.

That from and after the passing of this Act it shall be lawful for any Person having at present a Right to kill Hares in *Scotland* to do so himself, or by any Person permitted, directed, or commanded by him by any Writing under his Hand, without the Payment of any such Duties of Assessed Taxes as aforesaid, and without obtaining an annual Game Certificate; Provided always, that such Hares shall be found and killed in or upon his own Land; provided also, that no Person permitted, directed, or commanded as aforesaid shall have Power to authorize any other Person whatever to take or destroy any Hare.

II Such Persons not to be liable to Tax on Game-keepers.

And be it enacted, That no Person so permitted, directed, or commanded to kill Hares as aforesaid shall, unless otherwise chargeable, be liable to any Duties of Assessed Taxes as Gamekeeper,

III To extend to coursing or hunting.

And be it enacted, That from and after the passing of this Act it shall be lawful for any Person to pursue and kill or to join in the Pursuit and killing Hares by coursing with Greyhounds, or by hunting with Beagles or other Hounds, without the having obtained an annual Certificate,

IV Not to permit the Destruction of Hares, &c. by Poison.

Provided always, and be it enacted, That nothing herein contained shall extend or be taken or construed to extend to the making it lawful for any Person, with Intent to destroy or injure any Hares or other Game, to put or cause to be put any Poison or poisonous Ingredient on any Ground, whether open or inclosed, where Game usually resort, or in any Highway, or for any Person to use any Fire-arms or Gun of any Description, by Night, for the Purpose of killing any Game or Hares.

V Interpretation of Act.

And be it enacted, That in the Interpretation of this Act the Singular Number shall extend to several Persons and Things as well as to one Person or Thing; and any Word importing the Plural Number shall apply to one Person or Thing as well as to several Persons or Things; and every Word importing the Masculine Gender only shall extend to a Female as well as a Male; and the Word "Night" shall be considered and is hereby declared to commence at the Expiration of the first Hour after Sunset, and to conclude at the Beginning of the last Hour before Sunrise.

VI Only to apply to Scotland.

And be it enacted, That this Act shall not extend to *England* and *Ireland*.

VII Act may be amended, &c.

And be it enacted, That this Act may be amended or repealed by any Act, to be passed during the present Session of Parliament.